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PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|---|----------------------|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/006,856 | |
| | Filing Date | December 6, 2001 | |
| | First Named Inventor | Kevin P. BAKER, et al. | |
| | Group/Art Unit | 1636 | |
| | Examiner Name | Vogel, Nancy S. | |
| Total Number of Pages in This Submission | | Attorney Docket Number | 39780-2830 P1C14 |

ENCLOSURES (check all that apply)

| | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> AMENDMENT/RESPONSE <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input checked="" type="checkbox"/> Declarations <input checked="" type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement With Form PTO-1449 and 151 References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice | <input checked="" type="checkbox"/> Second Declaration of Dr. Polakis and Dr. Randy Scott <input type="checkbox"/> Declaration On Incorporation By Reference <input type="checkbox"/> Amendment Under 37 Cfr §1.48(B) <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW): <input checked="" type="checkbox"/> STAMPED RETURN POSTCARD |
| <div>Remarks</div> <p>AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2830 P1C14.</p> | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | | | | |
|-------------------------|--|------------------|------------------------------------|---------------------------|
| Firm or Individual name | HELLER EHRMAN LLP | | BARRIE D. GREENE (Reg. No. 46,740) | |
| | 275 Middlefield Road, Menlo Park, California 94025 | | Telephone: (650) 324-7000 | Facsimile: (650) 324-0638 |
| Signature | | | | |
| Date | November 13, 2006 | Customer Number: | 35489 | |

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: **MAIL STOP AMENDMENT**, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: **November 13, 2006**

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|-----------------------|---------------|------|-------------------|
| Typed or printed name | SYLVIA ROGERS | | |
| Signature | | Date | November 13, 2006 |

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COMBINED FEE TRANSMITTAL

NOV 13 2006

Effective 12/08/2004. Patent fees are subject to annual revision.

PTO/SB/17 (12/04) (Revised) (For Payment of 37 CFR 1.17 fees including (f), (g), (h), & (i))

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$300.00)

Complete if Known

Application Number **10/006,856**
 Filing Date **December 6, 2001**
 First Named Inventor **Kevin P. BAKER, et al.**
 Examiner Name **Vogel, Nancy S.**
 Art Unit **1636**
 Attorney Docket No. **39780-2830 P1C14**

METHOD OF PAYMENT (check one)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number: **08-1641 (Docket No. 39780-2830P1C14)**

Deposit Account Name: **Heller Ehrman LLP**

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☒ Credit any overpayments and charge any deficiencies

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the deposit account

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Applicati on Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|----------------------|-----------------------|-----------------------------|-----------------------|-----------------------------|-----------------------|-----------------------------|-------------------|
| | Entity Fee (\$) | Small Entity Fee (\$) | Entity Fee (\$) | Small Entity Fee (\$) | Entity Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | 0 |
| Design | 200 | 100 | 100 | 50 | 135 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

SUBTOTAL (1) \$ 0

2. EXTRA CLAIM FEES

| Entity Fee (\$) | Small Entity Fee (\$) | Fee Description |
|--------------------|-----------------------|---|
| 50 | 25 | Each claim in excess of 20 or, for Reissues, each claim in excess of 20 and more than in the original patent |
| 200 | 100 | Each Independent claim in excess of 3 or, for Reissues, each independent claim more than in the original patent |
| 360 | 180 | Multiple dependent claim, if not already paid |

| Extra Claims | | Fee from above | Fee Paid |
|--------------------|---------|----------------|----------|
| Total Claims | -20** = | x | 0 |
| Independent Claims | -3** = | x | 0 |

**or number previously paid, if greater; For Reissues see below

Multiple Dependent ☐ = 0

SUBTOTAL (2) \$ 0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof (round up to the a whole number). See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s)

| Total Sheets | Extra Sheets | Number of each additional 50 | Fee (\$) | Small Entity Fee (\$) |
|-----------------|-----------------|------------------------------------|----------------|-----------------------------|
| -100 = | | 1900/50 = | x 250 OR x 125 | |

SUBTOTAL (3) \$ 0

FEE CALCULATION (continued)

4. PETITION FEES UNDER 37 CFR 1.17 (f)
 Fee Code: 1462 Fee \$ 400 For petitions filed under:
 § 1.53(e); § 1.57(a); § 1.182; § 1.183; § 1.378(e); § 1.741(b)
 Fee Paid **0**

5. PETITION FEES UNDER 37 CFR 1.17 (g)
 Fee Code: 1463 Fee \$ 200 For petitions filed under:
 § 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; § 1.550(c); § 1.956; § 5.12; § 5.15; § 5.25
 Fee Paid **0**

6. PETITION FEES UNDER 37 CFR 1.17 (h)
 Fee Code: 1464 Fee \$ 130 For petitions filed under:
 § 1.19(g); § 1.84; § 1.91; § 1.102(d); § 1.138(c); § 1.313; § 1.314
 Fee Paid **0**

7. PROCESSING FEES UNDER 37 CFR 1.17 (i)
 Fee Code: 1808 (1803 for § 1.221) Fee \$ 130 For petitions filed under:
 § 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(e); § 1.103(b); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § 3.81
 Fee Paid **0**

8. OTHER FEES

| Entity Fee (\$) | Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|--|----------|
| 130 | 65 | Surcharge - late filing fee or oath | |
| 50 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 130 | 130 | Non-English specification | |
| 2,520 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 920* | 920* | Requesting publication of SIR prior to Examiner action | |
| 1,840* | 1,840* | Requesting publication of SIR after Examiner action | |
| 120 | 60 | Extension for reply within first month | 120 |
| 450 | 225 | Extension for reply within second month | |
| 1020 | 510 | Extension for reply within third month | |
| 1590 | 795 | Extension for reply within fourth month | |
| 2160 | 1080 | Extension for reply within fifth month | |
| 340 | 170 | Filing a brief in support of an appeal | |
| 790 | 395 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1,510 | 1,510 | Petition to institute a public use proceeding | |
| 110 | 55 | Petition to revive - unavoidable | |
| 1,370 | 685 | Petition to revive - unintentional | |
| 50 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 180 | 180 | Submission of Information Disclosure Stmt | 180 |
| 300 | 150 | Request for oral hearing | |
| 790 | 395 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 790 | 395 | Request for Continued Examination (RCE) | |
| 900 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

SUBTOTAL (4+5+6+7+8) \$300

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type) **BARRIE D. GREENE** Registration No. **46,740** Telephone **650 324-7000**
 Signature *Barrie D. Greene* Date **November 13, 2006** Customer No. **35489**

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